

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 1.11.2019

CORAM

THE HONOURABLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.30755 of 2019
and
W.M.P.No.30841 of 2019

1. Rajkumar Harichand

2. Bhavana Raj ..Petitioners

Versus

The Authorised Officer Federal Bank
LCRD / Chennai Division
First Floor 57 Royapettah High Road
Royapettah,
Chennai 14.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari and mandamus to call for the records in Ref No. / MDSH / SO 187 / dated 02.04.2019 issued under Sec. 13 (2) of the Securitisation Act, 2002 and MDSH / SO. 128 / 72 dated 08.07.2019 issued under Sec. 13(4) of the SARFAESI Act, 2002 issued by the respondent and quash the same and further direct the respondent to accept the one time settlement proposal of the petitioners herein.

For petitioner : Ms.K.Ramya

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, ACJ.)

Since the Petitioner has got effective alternative remedy under Section 17 of the SARFAESI Act against the Possession Notice issued under Section 13(4) of the Act, we are not inclined to interfere in the present case. If the Application under Section 17 of the Act is filed before the DRT concerned within one week from today, the same may be entertained without

insisting on the issue of limitation. The Writ Petition is disposed of accordingly. No costs. The connected Miscellaneous Petition is closed.

ssk.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The Authorised Officer Federal Bank
LCRD / Chennai Division
First Floor 57 Royapettah High Road
Royapettah Chennai 14.

+1cc to M/s.K.Ramya, Advocate, SR.No.90450

W.P.No.30755 of 2019

Kak(01/11/2019)



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